

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TOMAS COTA,

Defendant.

CR 16-04-BLG-SPW

ORDER

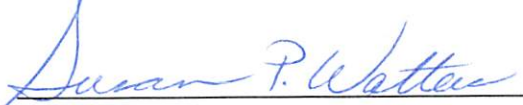
Before the Court is Defendant Tomas Cota's Motion for Early Termination of Supervised Release. (Doc. 128). On August 1, 2023, the Court transferred jurisdiction over Cota to the District Court of New Mexico pursuant to 18 U.S.C. § 3605. (Doc. 127).

Section 3605 states: "A court to which jurisdiction is transferred under this section is authorized to exercise *all* powers over the probationer or releasee that are permitted by this subchapter or subchapter B or D of chapter 227." 18 U.S.C. § 3605 (emphasis added). Subchapter D of chapter 227 confers on courts the power to "terminate a term of supervised release and discharge the defendant." *Id.* § 3583(e)(1). Under this statutory structure, "the transferee court steps into the shoes of the transferor court—which, per § 3583(e), had jurisdiction to [terminate a term of supervised release]." *United States v. King*, 608 F.3d 1122, 1127 (9th Cir. 2010).

Provided the Court's transfer of jurisdiction over Cota pursuant to 18 U.S.C.

§ 3605, the District of New Mexico—the transferee court—maintains jurisdiction to consider Cota’s termination of supervised release. Thus, Cota’s Motion for Early Termination of Supervised Release (Doc. 128) is DENIED by this Court for lack of jurisdiction. The Clerk shall forthwith notify the parties and the U.S. Probation Office of the making of this Order.

DATED this 10th day of July, 2025.



SUSAN P. WATTERS
United States District Judge